



The following constitutes the order of the Court.
Signed: August 26, 2025

William J. Lafferty, III

William J. Lafferty, III
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re	)	Bankruptcy Case
	)	No. 25-10088-WJL
KINGSBOROUGH ATLAS TREE)	
SURGERY INC.	)	Chapter 11
)	
	)	SETTLEMENT CONFERENCE ORDER
Debtor.)	
	)	Settlement Conference:
	)	Date: <u>TBD</u> , 2025
	)	Time: 9:30 AM/10:30 AM
	)	Place: U.S. Bankruptcy Court
	)	450 Golden Gate Avenue
	)	Courtroom 17, 16 th Fl.
	)	San Francisco, CA

Good cause appearing, IT IS HEREBY ORDERED that:

1. A settlement conference regarding the disputes among debtor Kingsborough Atlas Tree Surgery Inc., debtors Richard Paul Kingsborough and Cynthia Eileen Kingsborough, in Case No. 25-10461-WJL (collectively, the "Debtors"), and Anvil Builders, Inc., et al ("Creditor") relating to all disputes among them in their Chapter 11 cases and in A.P. Nos. 25-1005 and 25-1008 and related matters, will be held before Bankruptcy Judge Dennis Montali ("settlement judge") on TBD, 2025 in the San Francisco Bankruptcy Court, Courtroom 17, 450 Golden Gate

1 Avenue, 16th Floor, San Francisco, CA. The conference will be in
2 person, and not via Zoom.

3 2. Debtors and their counsel should be present at 9:30
4 AM. Creditor and its counsel should be present beginning at
5 10:30 AM. The settlement conference will not be postponed
6 absent leave of the settlement judge.

7 3. Counsel for all three sides should prepare and email
8 to the settlement judge and to opposing counsel, but not file, a
9 confidential Settlement Conference Statement ("Statement"). The
10 Debtors will prepare and submit their Statements no later than
11 _____ **TBD** _____, 2025; the Creditor will submit its no later than
12 _____ **TBD** _____, 2025.

13 The Statements need to be efficient and not waste time with
14 the kind of redundant introductions typical of trial briefs or
15 motions. The parties are not making a record; they will not
16 waive any right or defense by not mentioning it to the
17 settlement judge. In fact, the Statements should be more like
18 outlines parties would use internally at trial to make sure they
19 cover all the necessary bases to meet their burdens and rebut
20 all of their opponents' relevant contentions. The settlement
21 judge will confer with each side's counsel separately regarding
22 further specific instructions.

23 Refer to docket numbers in the main cases and the APs for
24 documents the settlement judge should consider - do not provide
25 them separately. If they are not on any of the dockets, attach
26 them to a list of documents to include electronically and email
27 them directly to the settlement judge. If hard copies are
28 necessary because they are long or hard to read, parties will

1 receive separate instructions from court staff for how to
2 forward them to the settlement judge.

3 5. At the settlement conference, counsel for each side
4 should be prepared to present orally to the settlement judge a
5 forthright evaluation of the likelihood of prevailing on claims
6 and defenses. The person or persons having full authority to
7 settle the matter shall also appear at the settlement
8 conference, subject only to whatever final authority must be
9 obtained by Debtors in the main Chapter 11 cases.

10 6. The settlement conference will not conclude absent
11 leave of the settlement judge, who may continue the conference
12 from time to time at the settlement judge's discretion. The
13 settlement judge may issue any order deemed appropriate to
14 facilitate settlement or the expeditious resolution of the
15 dispute. **Parties and their counsel should be prepared to remain**
16 **beyond normal business hours if necessary; alternative**
17 **arrangements should be made for routine personal and family**
18 **commitments. The settlement judge will not normally excuse**
19 **parties or counsel except in the case of emergency or extreme**
20 **inconvenience.**

21 7. The parties must make a good faith attempt to settle
22 the matter before the settlement conference.

23 8. Failure to comply with the terms and spirit of this
24 order may lead to the imposition of sanctions under Bankruptcy
25 Rule 7016 and Fed. R. Civ. P. 16(f).

26
27 **END OF ORDER**
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